

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANA MARIA RAVINES DE
SCHUR,

Plaintiff,

v.

BELLINGHAM & WHATCOM
COUNTY HOUSING
AUTHORITIES, et al.,

Defendants.

CASE No. C23-0332-RAJ

ORDER

I. INTRODUCTION

This matter comes before the Court *sua sponte*. For the reasons that follow, the Court **DISMISSES** Plaintiff's Complaint.

On March 9, 2023, Plaintiff filed this action against Defendants Bellingham Housing Authority, Housing Authority of Whatcom County, Shannon Laws, Engedi Refuge, Agape House Lighthouse Mission, Base Camp Lighthouse Mission, Opportunity Council, Bellingham Police Department, and the Asian Association of Utah. Dkt. ## 1-1,

1 4. Plaintiff also submitted an application to proceed *in forma pauperis*. Dkt. # 1. On
 2 March 9, 2023, the Honorable S. Kate Vaughan granted the application while
 3 recommending review under 28 U.S.C. § 1915(e)(2)(B). Dkt. # 3.

4 Plaintiff's claims are difficult to discern. However, Plaintiff generally alleges that
 5 her rights have been violated by various actors, including the Bellingham Housing
 6 Authority, church shelters, and "the Mormon theocracy that dominates all fronts of
 7 government and private administration" in Utah. Dkt. # 4 at 2-3. Plaintiff requests that
 8 this Court order the Bellingham Housing Authority to "release" her housing voucher to
 9 the Seattle Housing Authority and add her family members to her voucher, and order her
 10 case manager at Catholic Community Services to transfer her belongings from Utah to
 11 Washington. *Id.* at 30.

12 II. DISCUSSION

13 The Court's authority to grant *in forma pauperis* status derives from 28 U.S.C.
 14 § 1915. The Court is required to dismiss an *in forma pauperis* plaintiff's case if the Court
 15 determines that "the action . . . (i) is frivolous or malicious; (ii) fails to state a claim on
 16 which relief may be granted; or (iii) seeks monetary relief against a defendant who is
 17 immune from such relief." 28 U.S.C. § 1915(e)(2)(B); *see also Lopez v. Smith*, 203 F.3d
 18 1122, 1129 (9th Cir. 2000) ("[S]ection 1915(e) applies to all in forma pauperis
 19 complaints, not just those filed by prisoners."). A complaint is frivolous if it lacks a basis
 20 in law or fact. *Andrews v. King*, 398 F.3d 1113, 1121 (9th Cir. 2005). A complaint fails to
 21 state a claim if it does not "state a claim to relief that is plausible on its face." *Bell Atl.*
 22 *Corp. v. Twombly*, 550 U.S. 544, 568 (2007).

23 "The legal standard for dismissing a complaint for failure to state a claim under 28
 24 U.S.C. § 1915(e)(2)(B)(ii) parallels that used when ruling on dismissal under Federal
 25 Rule of Civil Procedure 12(b)(6)." *Day v. Florida*, No. 14-378-RSM, 2014 WL 1412302,
 26 at *4 (W.D. Wash. Apr. 10, 2014) (citing *Lopez*, 203 F.3d at 1129). Rule 12(b)(6)
 27 permits a court to dismiss a complaint for failure to state a claim. The rule requires the

1 court to assume the truth of the complaint's factual allegations and credit all reasonable
2 inferences arising from those allegations. *Sanders v. Brown*, 504 F.3d 903, 910 (9th Cir.
3 2007). The plaintiff must point to factual allegations that "state a claim to relief that is
4 plausible on its face." *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 568 (2007). Where a
5 plaintiff proceeds *pro se*, the Court must construe the plaintiff's complaint liberally.
6 *Johnson v. Lucent Techs. Inc.*, 653 F.3d 1000, 1011 (9th Cir. 2011) (citing *Hebbe v.*
7 *Pliler*, 627 F.3d 338, 342 (9th Cir. 2010)).

8 Taking all allegations in the light most favorable to the Plaintiff, the Court finds
9 that the Complaint fails to state a claim upon which relief can be granted. In her 59-page
10 complaint, Plaintiff alleges that the Asian Association of Utah was supposed to transport
11 her belongings from Utah to Washington, but failed due to pressure from the Mormon
12 Church. Dkt. # 4 at 4-5. Further, Plaintiff states she was harassed while living in a
13 Washington shelter called the "Base Camp." *Id.* at 19. She alleges that she was later
14 evicted from this shelter, and the Bellingham Housing Authority has failed to assist her in
15 securing a housing voucher in a timely manner. Dkt. # 4 at 19.

16 But despite allegations of wrongdoing by various Defendants, Plaintiff's
17 allegations, as pled, fail to state a claim for relief as required by the Federal Rules. *See*
18 Fed. R. Civ. P. 8(a). Although *pro se* litigants are given more leeway than licensed
19 attorneys when assessing their pleadings, they must still adhere to the Federal Rules of
20 Civil Procedure. *Pearle Vision, Inc. v. Romm*, 541 F.3d 751, 758 (7th Cir. 2008). Broad
21 allegations of a theocratic conspiracy are simply insufficient to state a plausible claim for
22 which any type of relief could be granted by this Court. Therefore, the Court dismisses
23 the complaint for failure to state a claim on which relief may be granted pursuant to 28
24 U.S.C. § 1915(e)(2)(B).

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III. CONCLUSION

For the reasons stated above, Plaintiff's complaint is **DISMISSED** without prejudice. Dkt. # 1-1, 4. Plaintiff may file an amended complaint within **twenty-one (21) days** of the Order. Any amended complaint shall include a short and plain statement concerning: 1) the grounds for the court's jurisdiction; 2) a showing that Plaintiff is entitled to relief; and 3) a demand for the specific relief sought. If Plaintiff fails to timely comply with this Order by filing an amended complaint that corrects the deficiencies noted above, the Court will dismiss this action with prejudice.

DATED this 23rd day of March, 2023.

A handwritten signature in black ink, reading "Richard A. Jones", written over a horizontal line.

The Honorable Richard A. Jones
United States District Judge